

SEP 05 2006  
*Docket No.: 15685P113*

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

MARC GOLDBURG

Application No.: 10/036,779

Filed: December 31, 2001

For: **METHOD AND APPARATUS FOR  
INCREASING SPECTRAL EFFICIENCY  
USING MITIGATED TRANSMIT  
POWER NEAR BAND-EDGE**

Art Group: 2637

Examiner: Young Toi Tse

**BEST AVAILABLE COPY****INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

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The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

The fee set in the amount of \$180.00 for submission of the Information Disclosure Statement is enclosed herewith. Please charge any additional fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

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Respectfully submitted,

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Date: September 05, 2006

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Sheet	1	of	1															

Examiner Signature	Date Considered
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\*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

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Based on PTO/SB/08A (08-03) as modified by Blakey, Sotakoff, Taylor & Zefman (W) 08/11/2003.

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